



Legal Document

Supreme Court of the State of New York, New York County
Case No. 654765/2019

**Walmart Inc. (f/k/a Wal-Mart Stores, Inc.) v. Tesla Energy
Operations, Inc. (f/k/a SolarCity Corporation)**

Document 75



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**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK**

WALMART INC. (f/k/a WAL-MART STORES,
INC.),

Plaintiff,

- against -

TESLA ENERGY OPERATIONS, INC. (f/k/a
SOLARCITY CORPORATION),

Defendant.

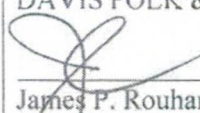
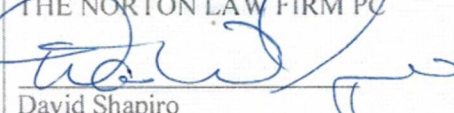
Index No.: 654765/2019

**VOLUNTARY
DISCONTINUANCE WITHOUT
PREJUDICE**

IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiff
Walmart Inc. (f/k/a Wal-Mart Stores, Inc.) (“Walmart”) and Defendant Tesla Energy
Operations, Inc. (f/k/a SolarCity Corporation), by their duly authorized attorneys of
record in this action, as follows:

1. Pursuant to CPLR 3217(a)(2), Walmart’s Complaint is voluntarily
discontinued without prejudice as to Defendant Tesla. No party to this action is an infant,
incompetent person for whom a committee has been appointed or conservatee and no
person not a party has an interest in the subject matter of this action.

2. This stipulation may be executed in two or more counterparts, each of
which shall be considered the same as if a single document shall have been executed, but
shall become effective when such counterparts have been signed by each of the parties
hereto and delivered to counsel for the other party.

DATED: November <u>4</u> , 2019	<p>DAVIS POLK & WARDWELL</p>  <p>James P. Rouhandeh Paul S. Mishkin 450 Lexington Avenue New York, New York 10017 (212) 450-4000 rouhandeh@davispolk.com paul.mishkin@davispolk.com</p> <p><i>Attorneys for Plaintiff</i></p>
DATED: November <u>4</u> , 2019	<p>THE NORTON LAW FIRM PC</p>  <p>David Shapiro The Norton Law Firm PC 299 Third Street, Suite 106 Oakland, CA 94607 (510) 906-4900 dshapiro@nortonlaw.com</p> <p><i>Attorneys for Defendant</i></p>

So Ordered:

J.S.C.